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Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 11 May 1999 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 10 May 1999, I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region (FIR) of Nicosia by military aircraft of the Turkish Air Force, recorded on 9 May 1999.

On that day, seventeen military aircraft of the Turkish Air Force (twelve F-16, three C-160, one C-650 and one of unidentified type), entered the Nicosia FIR, violating international air traffic regulations.

The twelve F-16, three C-160 and one C-650 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting in a south-easterly direction.

The unidentified aircraft violated the national airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas and executing a search-and-rescue patrol mission before returning to the Ankara FIR.

The three C-160 violated once more, on the same day, the Nicosia FIR, flying over its south-easterly zone before returning to the Ankara FIR.

As stated in my previous letters, these unauthorized Turkish intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, they are also in contravention to the provisions of Security Council resolutions on Cyprus.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey which demonstrate Turkey's blatant

and offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

I would like, once more, to underline that the present violations occurred after the adoption of Security Council resolutions 1217 (1998) and 1218 (1998) which called upon all States to respect the sovereignty and territorial integrity of the Republic of Cyprus and to refrain from any action which might prejudice that sovereignty, independence and territorial integrity. My Government expects that the Turkish side will show compliance with the provisions of these resolutions.

Such provocative actions are not conducive to reducing tension and run counter to the initiative of the Secretary-General announced on 30 September 1998, within the framework of his Mission of Good Offices, with the goal of reducing tension and promoting progress towards a just and lasting settlement in Cyprus.

Furthermore, the continuing overflights by the Turkish Air Force as well as the presence of the Turkish military occupation forces on the island constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

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LETTER DATED 10 MAY 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing upon instructions from my Government to draw your attention to the letter dated 3 May 1999 of Ambassador Ivan Šimonović, Permanent Representative of the Republic of Croatia to the United Nations addressed to the President of the Security Council (S/1999/501). The letter is replete with deliberate obfuscation, aimed at using the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia to decry my country and its genuine efforts to bring the negotiations on the disputed territorial issue of Prevlaka to an early and successful end. It is yet another attempt by the Republic of Croatia to prejudge the position of the Council on the final solution of the issue.

Instead of promoting good-neighbourly relations in accordance with the Charter of the United Nations and the agreement on normalization of bilateral relations, the Republic of Croatia has taken a hostile position towards the Federal Republic of Yugoslavia by extending open support to, and taking active part in, the NATO aggression exemplified by the ceding of its airspace to NATO for the aerial bombardment of my country. That position of hostility is manifest also in the letter of the Permanent Representative of the Republic of Croatia.

There is no doubt that the position of the Republic of Croatia is determined by the political expediency of "making propaganda hay" out of the ongoing situation and affirming its interests in the Security Council and beyond. This all the more so inasmuch as the letter of the Permanent Representative of the Republic of Croatia was sent to the President only following the display by the Federal Republic of Yugoslavia of good will and exemplary cooperation, enabling the United Nations Mission of Observers in Prevlaka (UNMOP) to continue its work in accordance with the United Nations mandate, which was recognized by the United Nations Secretariat. Conversely, the Republic of Croatia has displayed no such will and cooperation and continues to violate the regime mandated by the United Nations in both the "blue" and "yellow" zones, relevant resolutions of the Council and the agreement on normalization of relations calling for a negotiated solution of the disputed issue of Prevlaka, which is documented in the regular reports of UNMOP and of the Secretary-General of the United Nations.

I should like to point out that the Federal Republic of Yugoslavia has resolved to protect its sovereignty and territorial integrity, to which it is entitled by the Charter of the United Nations. Notwithstanding the circumstances, it continues to fulfil its obligations and remains committed to finding a negotiated solution to the disputed territorial issue of Prevlaka and to promoting overall relations of good-neighbourly cooperation on the principles of full equality and strict abidance by the basic goals and principles of the Charter of the United Nations and international law. The Republic of Croatia would render a significant contribution to the cause of peace and to a peaceful solution of the question in dispute if it ceased participation in the NATO aggression against the Federal Republic of Yugoslavia, a sovereign State Member of the United Nations, and condemned this as an example of a gross violation of the Charter of the United Nations and the international legal order, one without precedent in the recent history of the region.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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LETTER DATED 11 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement on East Timor: New York agreement issued on 7 May 1999 by the Presidency of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of Germany
to the United Nations

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Annex

[Original: English and French]

Statement on East Timor: New York agreement issued on 7 May 1999 by the Presidency of the European Union

The European Union (EU) warmly welcomes the signing on 5 May 1999 in New York by the Secretary-General of the United Nations and the Minister for Foreign Affairs of Portugal and Indonesia of the agreement on the future of East Timor (A/53/951-S/1999/513, annexes II and III). This agreement, based on the right to self-determination, will lead to a popular consultation of the East Timorese people on whether they wish to accept or reject the proposed constitutional framework for autonomy, with rejection leading to the independence of East Timor. This constitutes a major breakthrough on the path of solving a long-outstanding issue. In this context, the immediate release of Xanana Gusmao is an essential factor towards the success of the consultation process. EU commends the sustained efforts of the Secretary-General to find a just, comprehensive and internationally acceptable solution to the question of East Timor.

Security in East Timor remains crucial for the holding of a free and fair ballot on 8 August 1999 and for an orderly and peaceful transition in East Timor. EU once again calls on all sides to show the utmost restraint and refrain from any resort to violence. It reiterates is view that it remains the obligation of the Indonesian Government and its security forces to uphold peace and guarantee security for everybody in East Timor.